

REMARKS

The undersigned counsel wishes to thank Examiner Prone for his courtesy during a telephone conference on December 22, 2004.

Claims 6-13 and 15-18 remain pending in the application. Claim 6 has been amended and new Claim 18 has been canceled. The “new paragraph” previously added to Claim 6 has now been deleted from Claim 6 and re-presented as new claim 18. Claim 6 has also been amended to add language to distinguish the cutter of the invention from the paper nipper of Carmody.

In the prior Office Action of January 14, 2004, the Examiner had cited Carmody to reject claims 6-12, 14, 15, and 17 under 35 U.S.C. 102(b) as anticipated by Carmody. During the telephone conference with the Examiner, the undersigned distinguished Carmody as inapplicable as it is unable to cut brittle material, as taught by applicant’s cutter.

Carmody teaches a cutter having a top blade which is flat and a bottom blade which is curved. As set forth in col. 1, line 50 through col. 2, line 65, the crown or extreme edge of its blade is in a straight plane, that is to say, the cutting blade is of equal height, measured from its base plate, all around the curve. This allows the cutter to cut “semi-circular nicks in the edges” of books (col. 1, lines 8-9). As paper is a ductile or flexible material, the Carmody cutter teaches force concentration, but not to prevent shattering of a brittle material. As explained to the Examiner during the telephone conference, if Carmody’s tool were to be used to cut glass, and the Carmody tool was not perfectly horizontal or parallel to the sheet of glass, i.e., if the handle were raised, the center of the flat blade would contact the glass first, before the edge points, leverage it up and possibly shatter or crack it. Thus, while Carmody’s cutter may have been designed to contact the paper to be cut at two points, in actuality, it can contact the paper all over because the paper will bend.

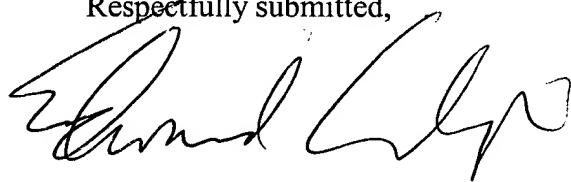
In contrast, the corner cutter of the invention is designed to cut a sheet of brittle material, such as glass, mirror, and tile. As claimed in amended claim 6 herein, the first and second blade edges are adapted to engage a sheet of brittle material along a sequence of contact points. Contacting the brittle material along a series of point contacts prevents the brittle material from shattering.

In view of the amendments and remarks herein, it is believed that the claim rejections under 35 USC §112, first and second paragraphs, are moot and need not be addressed further.

Accordingly, reconsideration and withdrawal of the rejections is respectfully requested.

In view of the foregoing Amendments and the Remarks in support thereof, it is respectfully submitted that this case is in condition for allowance. Favorable action on the merits, including entry of all requested amendments and allowance of all claims is respectfully solicited.

Respectfully submitted,



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